



**OAK RIDGE TOWN COUNCIL MEETING
FEBRUARY 3, 2022 – 7:00 P.M.
OAK RIDGE TOWN HALL**

MINUTES

Members Present

Ann Schneider, Mayor
Jim Kinneman, Mayor Pro Tem
George McClellan
Martha Pittman

Staff Present

Bill Bruce, Town Manager
Sandra Smith, Town Clerk
Sean Taylor, Planning Director
Michael Thomas, Town Attorney
Sam Anders, Finance Officer

Members Absent

Doug Nodine

1. CALL TO ORDER

Mayor Ann Schneider called the meeting to order at 7:00 p.m.

A. Invocation/Moment of Silence.

Representative John Faircloth offered the invocation.

B. Pledge of Allegiance.

2. MAYOR'S STATEMENT CONCERNING THE EMERGENCY

Mayor Schneider said the Town encourages people to wear masks in town hall. She said meeting agendas were available for those attending the meeting in person, and all meeting materials had been posted on the Town website. The public had been invited to join either in person or by viewing the livestream, and instructions had been widely publicized. By doing this, she said the Town was meeting all statutory requirements.

3. APPROVE AGENDA

Mayor Pro Tem Jim Kinneman made a motion to approve the agenda as presented, and Councilwoman Martha Pittman seconded. The motion was passed unanimously (4-0).

4. APPROVAL OF MEETING MINUTES

Councilman George McClellan moved that the minutes of the January 6, 2022, regular meeting be approved, and Councilwoman Martha Pittman seconded. The motion was passed unanimously (4-0).

5. RESOLUTIONS, PROCLAMATIONS, ANNOUNCEMENTS

Representatives John Faircloth and Jon Hardister presented a \$50,000 check to the Town of Oak Ridge from the state's Small Town Development Grant program.

6. REPORT FROM GUILFORD COUNTY SHERIFF'S OFFICE

No report

7. REPORT FROM OAK RIDGE FIRE DEPARTMENT

Lieutenant Mike Ritchey reported that there were 95 calls in January, including 41 medical-related calls, 14 service calls and 10 false alarms. Ritchey said that personnel had received 680 hours of training during the month of January. He said that the Oak Ridge Fire Department was selling reflective address signs for \$15 each as part of efforts to help first responders locate houses in emergencies. Ritchey said that signs could be ordered and picked up at Station 15 in Oak Ridge.

8. PUBLIC HEARING

- A. CASE # RZ-22-01: RS-30 (Residential, minimum 30,000-square-foot lots) to CZ-LO (Conditional Zoning-Limited Office).** The property is at 2201 Oak Ridge Road and is located on the north side of Oak Ridge Road, approximately 940 feet west of the intersection of Oak Ridge Road and NC 68 North in Oak Ridge Township. It is Guilford County Tax Parcel #165097 (approximately 1.55 acres), owned by Nelson G. Kerley and Ruth K. Kerley. The property is located in the Greensboro (GW-III) Watershed, and Oak Ridge Historic District Overlay Zone.

Planning Director Sean Taylor presented the staff report which is hereby incorporated by reference and made a part of the minutes. Taylor said that staff recommended approval for this rezoning request and said that the Planning & Zoning Board unanimously approved this rezoning request.

Mayor Schneider opened the public hearing.

Proponents:

Bill Greco, Land Solutions, PO Box 347, Oak Ridge, representing the applicants, said that the rezoning request received a favorable recommendation from the Planning & Zoning Board. He said that the former residence was surrounded on two sides by spray fields for the Oak Ridge Commons. Mr. Greco said that the owners were aware of the Historic District requirements.

Opponents:

None

Mayor Schneider closed the public hearing.

Council discussion:

Councilman McClellan asked if the existing house would remain, and Mr. Greco replied that they had not completed the site plan yet but that the exterior footprint of the house would remain as is.

Councilman McClellan asked what the plans were for parking, and Mr. Greco replied that the driveway would remain in the same location and that eight parking spaces would be added.

Councilwoman Martha Pittman moved to approve the proposed zoning amendment RS-30 to CZ-LO for RZ-22-01 based on the following:

1. *The proposed zoning amendment is consistent with the adopted comprehensive plan of the Town of Oak Ridge. The Planning Board has provided the Council with its written statement that the proposed zoning amendment is consistent with the comprehensive plan, and the Council concurs and adopts the Planning Board's finding of consistency by reference. In addition, the Council further finds that the proposed zoning amendment is consistent with the comprehensive plan.*

AND

2. *The proposed zoning amendment is reasonable. The Council considers the proposed zoning amendment to be reasonable because the report of the Town staff finding the proposed zoning amendment to be reasonable is adopted by reference.*

AND

3. *The proposed zoning amendment is in the public interest. The Council considers the proposed zoning amendment to be in the public interest because the report of the Town staff finding the proposed zoning amendment to be in the public interest is adopted by reference.*

Councilman George McClellan seconded the motion, and it was approved unanimously (4-0).

B. TEXT AMENDMENTS: Amendments to Section 30-254 and 30-1300 of the Town of Oak Ridge Code of Ordinances to ensure compliance with NC General Assembly Session Law 2021-138, specifically to clarify that violations of a city ordinance may be a misdemeanor or infraction only if the city specifies such in the ordinance.

Mayor Schneider said that the Planning & Zoning Board had voted to continue its consideration of the text amendments until their February 24, 2022 meeting.

Mayor Ann Schneider made a motion to continue the hearing on the text amendments to a date certain of March 3, 2022. Mayor Pro Temp Jim Kinneman seconded the motion, and it was passed unanimously (4-0).

9. TOWN MANAGER'S REPORT

A. Board/Committees:

- Consideration/reappointment of Debbie Shoenfeld to Historic Preservation Commission

Councilman George McClellan moved to approve the reappointment of Debbie Shoenfeld to a full member of the Historic Preservation Commission. Mayor Pro Tem Jim Kinneman seconded, and the motion was passed unanimously (4-0).

- Consideration/appointment of Paul Kress and Edyie Bryant (full members) and Danielle Walraven and Rich Spiker (alternates) to Finance Committee

Councilwoman Martha Pittman moved to approve the appointment of Paul Kress and Edyie Bryant to full members of the Finance Committee and to appoint Danielle Walraven and Rich Spiker as alternate members of the Finance Committee. Councilman George McClellan seconded, and the motion was passed unanimously (4-0).

B. Recommendation to surplus Sand Pro mower.

Bruce said that at the last meeting, Council had approved the purchase of a new Sand Pro mower. He said that he was now requesting approval that the old one be declared as surplus.

Mayor Pro Tem Jim Kinneman moved to approve that the old Sand Pro mower be declared as surplus. Councilman George McClellan seconded, and the motion was passed unanimously (4-0).

C. Update to Heritage Farm Park/PARTF grant.

Bruce said that he was happy to announce that the Town had been awarded a North Carolina Parks and Recreation Trust Fund (PARTF) matching grant in the amount of \$490,000 for the development of Heritage Farm Park. He said that other potential fund sources that would help to help defray the cost included the \$50,000 state grant and funds that the Town had received from the American Rescue Plan. Bruce said that the Town was currently working with a well driller on the site of the proposed well location and are developing several policies needed to ensure compliance with federal procurement guidelines.

D. Update on NC 68/HWY 150 intersection project.

Bruce said that the North Carolina Department of Transportation was continuing to acquire property for right of ways for improvements along NC 68 and NC 150. He said that the state hoped to let the project by September 2022 with construction starting in the spring of 2023. Bruce said that the project would take two years to complete.

E. Announcement of 2022 Voluntary Annexation process

Bruce said that per Council's instructions that the Town had begun accepting applications from property owners seeking voluntary annexation and that the

eligible petitions that were submitted last year that were not included in the annexation ordinance and pending no changes in ownership would be processed along with new applications. He said that the Town would not be able to send letters to all eligible property owners because there were quite a few but that the Town would target mailing letters to larger property owners. He said that annexation opportunities would be publicized via social media, on the Town's website and in the Northwest Observer. Bruce said that the application deadline was April 15, 2022.

Mayor Schneider provided a reminder that the annexation process was very labor intensive for staff and the town attorney. She said that the statutes regarding annexation were complicated, and that some petitions would not be able to be accepted.

Councilman McClellan asked when the annexation applications would begin being accepted, and Bruce replied that applications were being accepted now.

Councilman McClellan asked why letters were not being mailed to every property owner, and Bruce replied that sending letters to every eligible property owner would be too labor intensive for staff and would be too costly.

Councilwoman Pittman asked if letters would be sent to homeowner associations that may represent 50 homes, and Bruce replied yes if contact information was known for specific homeowner associations.

Mayor Pro Tem Kinneman asked if the Town would have flexibility if a developer in the ETJ were to ask to rezone property that they would be able to apply for voluntary annexation, and Bruce replied that that decision would be up to Council's pleasure.

F. Announcement on Capital Improvement Plan (CIP) meeting and 2022-23 budget process.

Bruce announced that the Capital Improvement Plan workshop would be held on Wednesday, February 9, 2022, at 3:30 p.m. at Town Hall. He said that the purpose of the workshop would be to have an annual review of the 5-year capital improvement plan that serves as a guide for large capital expenditures. Bruce said that the meeting was open to the public, and that the budget process would begin in March when the Finance Committee begins its meetings.

G. Consideration/approval of Budget Amendment (Consulting line item).

Bruce said that he was making a request for Council to approve a budget amendment for the consulting line item which included annual expenses for the IT maintenance contract, fire inspections, stormwater engineering, off-duty sheriff's services, etc. He said that the Town had already spent \$40,000 for this line item and to date the Town had already met that budget primarily due to projects that had been approved by Council after the start of the budget year. Bruce said that new approved contracts would spend around \$87,500 by June 30, 2022. Bruce recommended that Council approve a budget amendment of \$47,500 to cover those extra expenses.

Councilman George McClellan made a motion to approve the \$47,500 budget amendment for consulting services and Mayor Pro Tem Jim Kinneman seconded, and the motion was passed unanimously (4-0).

H. Any other business.

None

10. PUBLIC COMMENTS

Dr. Matt Schneider, 8506 Rosedale Drive, Oak Ridge, commended Council for declining to go along with the Guilford County Commissioner's Executive Proclamation of January 5, 2022, mandating masks to be worn in all indoor spaces in the county. He said that sadly this brief respite from a useless public health intervention was short lived on January 13, 2022 when the commissioners issued a county-wide indoor mask rule based on the unscientific claim that mask wearing slows the spread of the virus. He said that he challenged anyone to produce any empirical evidence that mask wearing had ever slowed or stopped community transmission of Covid-19 or any respiratory virus. He said that the mask wearing had proven to be extremely harmful to a substantial segment of our population. Dr. Schneider said that the mask mandate had helped to rob our children of the experience of a normal, happy childhood, and urged Council to continue to resist the county's hysterical and superstitious mask mandates which do nothing to slow this disease. He commended Council for standing up for science, liberty and for resisting propaganda and overreaction.

Daniel O'Connor, 7565 Barbera Drive, Kernersville, said that he moved into the area 2.5 years ago and got involved with the community right away. He said that he was appalled at the building conditions at Northwest Guilford High School. O'Connor said that the school was great due to the teachers, administration, and students but that some building doors did not even lock. He said that the PTSO President Melissa Stallings had recently put together a program to raise money to renovate the mobile units. O'Connor said that 17 out of the 24 units had been adopted, and asked Council for their support.

11. MONTHLY FINANCIAL UPDATE

Finance Officer Sam Anders presented the financial report, which is hereby incorporated by reference and made a part of the minutes. Anders said that he was requesting a budget amendment of \$1,067 due to a change in life insurance for employees.

Councilwoman Martha Pittman made a motion to approve the budget amendment in the amount of \$1,067 due to an employee life insurance rate increase, and Mayor Pro Tem Jim Kinneman seconded. The motion was passed unanimously (4-0).

Councilman George McClellan made a motion to accept the financial report as presented, and Councilwoman Martha Pittman seconded. The motion was passed unanimously (4-0).

12. COMMITTEE REPORTS

A. Planning & Zoning Board.

Town Clerk Smith read the report, which is hereby incorporated by reference and made a part of the minutes.

B. Mountains-to-Sea Trail.

Council liaison Martha Pittman reported that the Committee met in January and looked at their strategic next steps. She announced that a guided hike of the Headwaters Trail was being planned for Saturday, February 12, 2022, at 9 a.m. Pittman also announced that the Committee would be having a workday on Saturday, February 26, 2022, at 9 a.m. to work on the area around the parking lot for the planned kiosk.

C. Conservation Easement Committee.

Committee Chair Stephanie Farrell reported that the Committee met in October, December, and January in order to develop an overall strategy and how to roll out it to the community. She said that the Committee had developed written materials that would be available on the Town's website soon. Farrell said that an Open House would be held in order to provide residents with an opportunity to learn more about the Committee's work.

D. Special Events Committee.

Committee Chair Patti Dmuchowski said that the Committee had met twice in January and had chosen Polar Engraving to provide the commemorative brick pavers for the future veterans site. She said that the current brochure would be updated and that the commemorative brick paver campaign would begin soon. Dmuchowski said that the Committee was working on a date for the groundbreaking for the veterans site, and that the date for Light up the Night would be December 3, 2022.

E. Parks & Recreation Advisory Board.

Town Clerk Smith read the report, which is hereby incorporated by reference and made a part of the minutes.

F. Finance Committee.

No report

G. Water Advisory Board.

No report

H. Historic Preservation Commission.

Town Clerk Smith read the report, which is hereby incorporated by reference and made a part of the minutes.

13. COMMUNITY ORGANIZATION REPORTS

A. Oak Ridge Military Academy.

No report

B. Oak Ridge Elementary School.

Town Clerk Smith read the report, which is hereby incorporated by reference and made a part of the minutes.

C. Oak Ridge Youth Association

Community Director Randy Collins said that the Teen Leadership Team did a great job coordinating a Valentine's Day 5K. He said that registration was open for baseball, softball, and lacrosse.

14. PUBLIC COMMENTS

None

15. COUNCIL COMMENTS

Several Council members spoke about the mobile make over project at Northwest Guilford High School and expressed their concerns regarding the dire and unsafe conditions of the mobile units. Council members said that the Town could not contribute money directly to the sponsorship program but offered their full support.

16. ADJOURNMENT

Mayor Pro Tem Jim Kinneman moved to adjourn the meeting at 8:15 p.m., and Councilman George McClellan seconded. The motion was passed unanimously (4-0).